

Fire Safety Code Board

Of Appeal & Review

Minutes of May 19, 2009 hearing

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, May 19, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Jackson, Richard, Jasparro, Preiss, Filippi, Dias and Walker. Commissioners Pearson and Blackburn were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #090170: Brown University, for the property located at 164 Angell Street in Providence. ADSFM Richard Silva appeared for the Providence Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook and Commissioner Walker, to approve the Applicant's plan of action for the placement of chairs under tents during commencement week. There was no objection from the Providence Fire Marshal's office. The motion was unanimous.

APPEAL #080280: Christ Church, for the property located at 67 Cedar Avenue, Unit #6, east Greenwich. ADSFM Stephen Hughes appeared for the East Greenwich Fire Marshal's office. Vice Chairman Newbrook recused himself from consideration of this case.

Commissioner Filippi made a motion, seconded by Commissioner Jackson, to grant the Applicant's request for relief on the headroom in the second floor storage area on the basis of structural hardship. The motion was unanimous.

APPEAL #050924: Mathewson Street United Methodist Church, for the property located at 134 Mathewson Street in Providence. ADSFM Richard Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Filippi, to approve the Applicant's plan of action for this facility, including the time frames presented to the Board. Additionally, the Applicant was granted a variance from the provisions of sections 50.1.1 and 7.8.3(1) cited on the April 29, 2009 plan review denial letter, provided the Applicant blocks up the cited windows, at the direction and to the satisfaction of the Providence Fire Marshal's office. The motion was unanimous.

APPEAL #050876: Mr. Peter Gerry, for the property located at 80 Public Street in Providence. ADSFM Richard Silva appeared for the Providence Fire Marshal's office. Commissioner Preiss recused himself from consideration of this case. Commissioner Walker made a motion, seconded by Commissioner Richard, to grant the Applicant the following relief. The Applicant is granted a time variance of thirty (30) days to submit plans for the installation of a municipally connected fire alarm system, illuminated exit signs and emergency lighting and an additional six (6) months to implement the plan. The

Providence Fire Marshal's office may extend the above time variance for good faith efforts shown by the Applicant. The Applicant is granted a time variance of thirty (30) days in which to correct deficiency #5 by removing the cited storage and the map covering the second means of egress from the office in the front of the building. Finally, the Applicant is granted a time variance of six (6) months to reconnect the water supply to the sprinkler system. The Providence Fire Marshal's office may extend the above six month time variance for good faith efforts on the part of the Applicant. The motion was unanimous.

APPEAL #090142: Sportsman's Inn, for the property located at 122 Fountain Street, Providence. ADSFM Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty days in which to have a load test performed by a licensed engineer on the cited fire escapes and a plan of action submitted by that engineer to the Providence Fire Marshal's office with an additional 120 days to bring the fire escapes into compliance if necessary. The Providence Fire Marshal's office is granted the authority to extend the above timelines for good faith efforts on the part of the Applicant. The motion was unanimous.

APPEAL #090143: Mr. Pat Cull, for the property located at 593 Eddy Street in Providence. DSFM David Cionfalo appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded

by Vice Chairman Newbrook to grant the Applicant's request to maintain the height of existing warning devices located throughout Rhode Island Hospital. The SFMO had no objection. The motion was unanimous.

APPEAL #060930: Fraternal Order of the Eagles, for the property located at 334 Waterman Avenue, East Providence. Lt. James Bellamy appeared for the East Providence Fire Marshal's office. The Applicant is directed to return to the Board with a plan of action for the correction of the cited deficiencies in this facility on July 14, 2009.

APPEAL #060131: For the property located at 228 Taunton Avenue in East Providence. Lt. James Bellamy appeared for the East Providence Fire Marshal's office. The Applicant, Mr. Christopher Smith, failed to appear. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to close the file. The motion was unanimous.

APPEAL #060928: Ms. Jeanne Lomastro, for the property located at 2928-2930 Pawtucket Avenue, East Providence. Lt. James Bellamy appeared for the East Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Jackson and Richard, to have the Applicant either remove the laundry and storage in the stairwell, or correct the deficiency at the direction and to the satisfaction of the East Providence Fire Marshal's office. If the Applicant chooses to correct the deficiency, the Board grants a

variance to allow the Applicant to make the correction at the direction and to the satisfaction of the East Providence Fire Marshal's office and grants the Applicant a time variance of sixty days in which to provide plans for the correction of the cited deficiency to the East Providence Fire Marshal's office. The motion was unanimous.

APPEAL #060972: FW Realty Inc., for the property located at 500 Taunton Avenue, East Providence. ADSFM James Bellamy appeared for the East Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Jasparro, to grant the following relief. As this facility is currently vacant with no public occupancy, the Applicant is directed to maintain the fire alarm system within this facility at all times. Prior to re-occupancy, the Applicant is directed to bring the facility into compliance with the code for the occupancy of that facility at that time. The motion was unanimous.

APPEAL #060783: Ms. Tracy Capobianco, for the property located at 20 Sprague Avenue, East Providence. DSFM Octavio Vieira appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant's request for variance on item #2 of the March 16, 2009 inspection report, provided the occupancy of the second floor apartment is limited to a maximum of two (2) people. The motion was unanimous.

Under old business, Vice Chairman Newbrook made a motion,

seconded by Commissioner Jasparro, that the Fire Board adopt a blanket variance to follow the wiring methods outlined in BV-23 of the Building Commission. The motion was unanimous. Vice Chairman Newbrook made a motion, seconded by Commissioners Filippi, Dias and Jasparro to extend the time for compliance to the code for the above wiring methods in three-family dwellings, to December 31, 2010. That notion was also unanimous.

**Respectfully submitted,
Carol Marsella**